

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

DIOMED, INC.,

Plaintiff,

v.

NEW STAR LASERS, INC.  
d/b/a COOLTOUCH INC.

Defendant.

Civil Action No. 04-12157 RGS

**NEW STAR LASERS, INC., d/b/a COOLTOUCH INC.'S  
LOCAL RULE 16.1(D)(3) CERTIFICATION**

Pursuant to Local Rule 16.1(D)(3) of the United States District Court for the District of Massachusetts, the undersigned certify that they have conferred regarding the above-captioned matter:

(1) with a view to establishing a budget for conducting the full course – and various alternative courses – of the litigation; and

(2) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully Submitted,

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